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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT**

Re application of: Chandran, et al.

Attorney Docket No.: CISC100, 1156

Application No.: 09/276,917

Examiner: NGUYEN, DUSTIN

Filed: March 26, 1999

Group: 2157

Title: NETWORK TRAFFIC SHAPING USING  
TIME-BASED QUEUES

CERTIFICATE OF EXPRESS MAILING

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*Ryan Eachus*  
Ryan Eachus

**PRELIMINARY AMENDMENT**

Commissioner for Patents  
Washington, DC 20231

**RECEIVED**

DEC 10 2002

Dear Sir:

Technology Center 2100

Before examination on the merits, please amend the subject patent application as follows:

**IN THE CLAIMS:**

All pending claims have been reproduced in an appendix below for the convenience of the Examiner. The appendix pages may be treated as substitute pages for the pages of claims in the present specification.

Please substitute the following clean claims 1, 12, 15, 25, 28, and 30 for the corresponding claims. A marked up version of the amended claims and all pending claims are presented in the Appendix below.

B | 1. (Amended) An apparatus for controlling data flow through a network, the apparatus comprising:

one or more processors;

memory coupled to at least one of the one or more processors; and

a plurality of time-based queues logically configured on the memory and together defining a period of time with each time-based queue defining a separate increment of time